

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	AUTHORITY and REFERECNES: KRS 15A.0652 505 KAR 1:130
CHAPTER: Juvenile Services in Community		
SUBJECT: Definitions		
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I. POLICY

The following definitions shall apply in the Department of Juvenile Justice Policy and Procedures Manual Chapters 601 through 623.

II. DEFINITIONS

- A. "Absent Without Leave (AWOL)" means a youth that leaves an approved placement without advanced approval from the supervising authority or is absent from an approved community setting for more than three (3) hours without notification.
- B. "Case Management" means a collaborative process to coordinate services and supervision for the family unit. Components of case management include assessment, case planning, resource linkage, monitoring, documentation, advocacy, promoting family strengths, and engaging the family.
- C. "Case Management Needs Assessment (CMNA)" means an assessment tool utilized to identify treatment needs to be addressed in the case plan and treatment plan.
- D. "Case Plan" means a written document that builds a plan for supervision and services which targets the risk and need factors identified in the youth's Case Management Needs Assessment and involves the youth, family, service providers, and natural supports . The plan shall include the goals to be pursued, the specific roles of the participants in carrying out the plan, and the specific timetable for completion of the plan.
- E. "Commissioner's Warrant" means a document issued by the Department of Juvenile Justice directing that a youth be taken into custody.
- F. "Community Placement Transfer" means the youth's caregiver changes from parent to parent, parent to another relative or family friend, parent to any non-Classification placement, or any change between non-Classification placements.
- G. "Community Supervision" means supervision by Department of Juvenile Justice staff who monitor conditions awaiting placement, conditions of probation, or conditions of supervised placement. Community supervision shall include assessment of the youth's risk and needs, as well as graduated responses to address compliance with conditions.

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- H. “Conditions Awaiting Placement” means a written enumerated set of rules indicating areas of supervision, restriction, limitation, or treatment needs to be met by a youth while awaiting placement.
- I. “Conditions of Probation” means a written enumerated set of rules indicating areas of supervision, restriction, limitation, or treatment needs to be met by a youth after an order of probation by the court.
- J. “Conditions of Supervised Placement” means a written enumerated set of rules indicating areas of supervision, restriction, limitation, or treatment needs to be met by a youth after commitment to the Department of Juvenile Justice, while residing with the parent, legal guardian, other approved relative or friend of the family, or emergency residence or hospital setting arranged by the caregiver.
- K. “Conditions of Supervision” means the generic referenced set of conditions depending on the legal status of the youth, to include: Conditions Awaiting Placement, Conditions of Probation, or Conditions of Supervised Placement.
- L. “Contraband” means any item that a youth, on conditions of supervision, is prohibited from obtaining, possessing, or exercising control over; either by statute, Department of Juvenile Justice regulation, or special condition imposed by the Department of Juvenile Justice. Reference KRS 520.010(1).
- M. “Day Release” means both staff escorted, and unescorted, leaves into the community of less than twenty-four (24) hour duration from a placement.
- N. “Department” means the Department of Juvenile Justice.
- O. “Discharge Planning Conference” means a meeting of the treatment team to finalize the aftercare plan and facilitate the transition of the youth to a lower level placement.
- P. “Drug Screen” means the preliminary screening of a urine specimen for the presence of selected categories of drugs.
- Q. “Drug Test” means processing a urine specimen for confirmation of the presence of drugs.
- R. “Emergency Furlough” means a furlough that may be granted as a result of a crisis or urgent situation.
- S. "Escape" is defined by KRS 520.010(5) and includes the departure from custody or the detention facility in which a person is held or detained when the departure is unpermitted, or failure to return to custody or detention following a temporary leave granted for a specific purpose or for a limited period.
- T. “Furlough” means an approved unescorted leave of absence granted to a youth extending beyond a twenty-four (24) hour period from a placement.
- U. “Graduated responses” are a continuum of incentives and sanctions to address the youth’s conduct.
- V. “Human Trafficking” means criminal activity whereby one (1) or more persons are subjected to engaging in:
 - (a) Forced labor or services; or
 - (b) Commercial sexual activity through the use of force, fraud, or coercion, except that if the trafficked person is under the age of eighteen (18), the

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commercial sexual activity need not involve force, fraud, or coercion.

- W. “Incident” means unusual event or occurrence in which youth behaviors compromise the health, safety, or security of youth or staff including:
1. Use of Isolation;
 2. AWOL or escape;
 3. Assault by youth on youth;
 4. Assault by youth on staff;
 5. Major property destruction;
 6. Possession of contraband;
 7. Death of resident;
 8. Major injury;
 9. Suicide Attempt;
 10. Use of restraint;
 11. The taking of hostages;
 12. Medication error; or,
 13. Other.
- X. “Individual Client Record” means the electronic case file, sometimes referred to as “Juvenile Offender Records Index (JORI),” and hard case file of an individual youth by which information and documentation is maintained.
- Y. “Individual Treatment Plan” means a written document that takes into consideration the severity of the current offense, the risk and need factors identified in the youth’s CMNA, and any additional assessments which identify the treatment goals to be pursued, specifies the roles of the participants in carrying out the plan, and specifies a timetable for completion of the plan.
- Z. “Internal Review Panel” means a group of Department of Juvenile Justice employees, appointed by the Commissioner, to review the death of a probated, committed, or sentenced youth to determine whether policies and procedures were followed in regard to the youth.
- AA. “Juvenile Intensive Supervision Team Program” means a cooperative program between Department of Juvenile Justice and local law enforcement agencies. Juvenile Intensive Supervision Team is a short-term intervention program for youth identified as in need of the most intense level of supervision.
- BB. “Mandatory Benefits” means funds from various government programs a youth may be eligible to receive.
- CC. “Monitoring Device” means an electronic device or apparatus which is capable of recording, tracking, or transmitting information as to the person’s location, or verifying the person’s presence or non-presence in the home, or both. The devices shall be minimally intrusive.
- DD. “Natural Supports” means personal associations and relationships typically developed in the community that enhance the quality and security of life for people, including family relationships, friendships reflecting the diversity of the neighborhood and the community, association with fellow students or

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employees in regular classrooms and work places, and associations developed through participation in clubs, organizations, and other civic activities.

- EE. “Placement” means the assigned residence of a youth in the placement continuum that ranges from Level 0 through Level V, with Level 0 being community placement under conditions of supervised placement, and Level I through V placements being out-of-home placements determined by the Division of Placement Services, Classification Branch.
- FF. “Predisposition Investigation Report (PDI)” means a report based on an investigation concerning the nature of the specific act complained of, and any surrounding circumstance which suggests the future care and guidance which should be given to the youth. This investigation shall be provided to the court in a written format. Reference KRS 610.100.
- GG. “Presentencing Investigation Report” means a report by which relevant information on the youth and family is collected to assist the Circuit Court in determining a sentencing recommendation for a youthful offender, following conviction. Reference KRS 640.010.
- HH. “Probation” means cases in which youth are placed on court-ordered supervision to the Department of Juvenile Justice.
- II. “Risk and Criminogenic Needs Assessment” (RCNA) means a standardized method of data collection that estimates the likelihood that continued delinquent behaviors will occur without intervention and guides intervention planning
- JJ. “Qualifying Offender” means a person who is subject to DNA collection pursuant to applicable state law.
- KK. “Shock Probation” means order of the sentencing court per KRS 439.265 to suspend further execution of the sentence, and place the youth on probation upon terms the court determines.
- LL. “Special Incident” means an act in which the health or welfare of a resident is harmed or threatened with harm by an offender, including if an offender:
 - 1. Uses inappropriate or excessive force that results in injury;
 - 2. Uses inappropriate or excessive force that could result in an injury;
 - 3. Engages in any sexual activity to include any contact or interaction, which uses or allows, permits or encourages the use of a resident for the sexual gratification of the offender or another person;
 - 4. Uses inappropriate consequences as punishment such as exercise, harsh physical labor, or other physical consequences outside accepted practices.
- MM. “Supervised Placement” means the assigned residence of a committed youth in Level 0 community placement.
- NN. “Supervised Placement Revocation Hearing” means an administrative hearing conducted by a hearing officer to determine if the conditions of supervised placement have been violated.
- OO. “Title IV-E”—Public Law 96-272, 42 USC 670-679b, the Adoption Assistance and Child Welfare Act of 1980, became effective June 17, 1980. It amended Title IV of the Social Security Act to establish a new Part E, which provides

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for Federal payments to the states for foster care maintenance and adoption assistance payments made on behalf of certain eligible youth.

PP. “Trust Fund or Conserved Funds” means the accumulation of excess benefits not used to cover the cost of the youth’s care.

QQ. “Youth” means a person who is under the custody, control, or supervision of the Department of Juvenile Justice as a result of a court order or interstate supervision.

RR. “Youth Counselor” means the Department of Juvenile Justice staff who is responsible for coordinating treatment within a day treatment, group home, youth development center, or detention facility.